

REMARKS

At the outset, Applicant thanks the Examiner for examining the pending application. The Office Action, dated October 5, 2005, has been received and its contents carefully reviewed.

Applicant also thanks the Examiner for acknowledging the claim for foreign priority and confirming receipt of the certified copy of the priority document. Applicant further expresses gratitude to the Examiner for accepting the drawings and considering the material cited in the Information Disclosure Statement of June 24, 2005.

By the above amendment, claims 1-5 will have been amended to enhance the clarity of the claim language without narrowing the scope thereof. Also, claims 6-9 will have been newly submitted for the Examiner's consideration. Accordingly, claims 1-9 are pending in the present application. Reexamination and reconsideration of the pending claims are respectfully requested.

In the Official Action, the Examiner rejected claims 1-5 under 35 U.S.C. §112, second paragraph as being indefinite. In particular, the Examiner asserted that the claims are indefinite because it is unclear how the water level and washing pattern can be determined by sensing a laundry amount. The Examiner also asserted that it is unclear how the determined water level can be reset due to the Examiner's interpretation that the determined value is a constant and not a value which can be set or changed.

In view of the Examiner's 35 U.S.C. §112, second paragraph rejection, Applicant has amended the claims to enhance the clarity of the claim language. For example, Applicant has amended particular recitations of "by" to "based upon". In addition, Applicant has also amended "resetting" to "adjusting". As the claims pending in the present application are clear and definite, Applicant respectfully requests withdrawal of the 35 U.S.C. §112, second paragraph rejection.

In the Official Action, the Examiner rejected claims 1-5 under 35 U.S.C. §102(b) as being anticipated by *Harwood et al.* (U.S. Patent No. 5,768,728).

Applicant respectfully traverses the 35 U.S.C. §102(b) rejection and submits that it is inappropriate at least since *Harwood et al.* fails to disclose each and every feature, as recited in the claims.

For example, *Harwood et al.* fails to disclose, inter alia, "...comparing the detected first and second laundry amounts to determine a first differential; and adjusting a first water level and wash pattern based upon a detected third laundry amount, if the first differential is greater than a first predetermined value", as recited in the claims.

In contrast, *Harwood et al.* discloses that "the recorded peak velocity is compared to a predetermined threshold velocity" and that "if the overshoot velocity is found to be greater than the threshold velocity for the particular load in the particular size laundry washing machine then the present water level may be sufficient for the present load" (See *Harwood et al.*: column 7, lines 64-67 and column 8 lines 10-13). That is, *Harwood et al.* appears to compare "velocities" for a "particular load", but does not compare or otherwise rely on first and second laundry amounts.

Moreover, *Harwood et al.* does not, inter alia, "adjust a water level and wash pattern based upon a detected third laundry amount", as recited in the claims, at least since *Harwood et al.* does not detect first, second, and third laundry amounts. Rather, *Harwood et al.* "fills to the next water level" (element 26) according to stroke completion or accumulated values, which are based upon a limited difference between two velocities: an overshoot velocity and a threshold velocity.

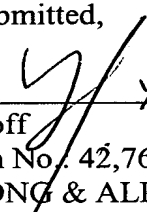
Due to at least the shortcomings of *Harwood et al.*, Applicant respectfully requests withdrawal of the 35 U.S.C. §102(b) rejection of claims 1-5.

Furthermore, Applicant submits that new claims 6-9 are believed to be allowable for at least the combination of features recited therein.

Applicant believes that the application is in condition for allowance and early, favorable action is respectfully requested. If the Examiner believes that calling the undersigned attorney at (202) 496-7500 will advance prosecution of this application, the Examiner is encouraged to do so.

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Respectfully submitted,

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